

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0098

Z.A.P. DATE: August 7, 2007
August 21, 2007

ADDRESS: 9011 Brown Lane

OWNER/APPLICANT: Wasatch, LLC (Morgan Mills)

AGENT: A.E.C. Inc. (Phil Moncada)

ZONING FROM: SF-3

TO: LI

AREA: 4.421 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant LI-CO, Limited Industrial-Conditional Overlay District, zoning. The proposed conditional overlay will limit the development intensity on the site to less than 2,000 vehicle trips per day and will establish a 25-foot vegetative buffer and a 100-foot building setback along the southern property line.

In addition, if the zoning is granted, then the staff recommends that 45 feet of right-of-way should be dedicated from the centerline of Brown Lane in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

8/07/07: Postponed to August 21, 2007 at the staff's request (6-0, K. Jackson, J. Martinez-absent); J. Gohil-1st, S. Hale-2nd.

8/21/07: Approved staff's recommendation of LI-CO zoning by consent (7-0, K. Jackson-absent); J. Martinez-1st, J. Gohil-2nd.

DEPARTMENT COMMENTS:

The property in question is currently undeveloped. The applicant is requesting a rezoning to the LI, Limited Industrial District, to develop a roofing company on the property. The staff is recommending LI-CO zoning for this tract of land because it is located within an industrial district, adjacent to LI zoning to the west, and is surrounded by commercial and industrial uses to the north, east, and west. The staff's recommendation includes a conditional overlay that will establish a 25-foot vegetative buffer and a 100-foot building setback along the southern property line of this tract to create a separation between the future Construction Sales and Services use and the existing single-family residential uses to the south of this site. This proposed buffer is consistent with the staff's recommendations in other zoning cases where an applicant requested industrial zoning adjacent to existing single-family zoning within the City of Austin.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3	Undeveloped
<i>North</i>	County	Electric Shop (Consumer Repair Use)
<i>South</i>	SF-3	Single-Family Residences
<i>East</i>	County, SF-3	Warehouse Distribution
<i>West</i>	LI	Undeveloped Tract, Outdoor Storage/Office Uses

AREA STUDY: Brown-Dungan Lane Area Study
(December 23, 1976):

TIA: Waived

The site under consideration is located within the Brown-Dungan Lane Area Study. This study established an industrial district for properties fronting Brown Lane and Dungan Lane. The study calls for a 50-foot corridor of residential zoning along the west, north and east boundaries of the district. In the study, "The staff recommends the establishment of a light industrial district for properties fronting Brown Lane and Dungan Lane if the residential borders of the area are buffered, the street within the district are brought up to industrial standards, and if the district boundaries can be firmly established so as to prevent expansion of the district."

WATERSHED: Little Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

114 – North Growth Corridor Alliance
342 – Edward Joseph Developments, Ltd.
511 – Austin Neighborhoods Council
643 – NorthEast Action Group
786 – Home Builders Association of Greater Austin
937 – Taking Action Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-02-0186	SF-3 to LI	1/7/03: Approved staff's recommendation of LI-CO zoning with Recycling Collection Facility as the only LI permitted use and all permitted CS uses (9-0)	1/06/03: Granted LI-CO on all 3 readings (7-0)
C14-01-0114	LI to CS-1	10/2/01: Denied CS-1 (9-0) [previous motion to approve failed (4-5)]	11/29/01: Approved CS-1 (4-3, BG/DT/WW-No); 1 st reading 1/10/02: Approved CS-1 (7-0); 2 nd /3 rd readings
C14-01-0068	SF-3 to LI	5/15/01: Approved staff rec. of LI-CO by consent (6-1, SG-abstain)	6/14/01: Approved LI-CO (7-0); 1 st reading

			11/29/01: Approved LI-CO (5-0); 2 nd / 3 rd readings
C14-00-2156	SF-3 to CS	2/13/01: Approved staff rec. of CS w/ conditions (5-3-1, JR/JM/RC-No, SL-abstain)	3/22/01: Approved CS-CO w/ conditions (6-1, D. Slusher-No); 1 st reading 7/19/01: Approved CS-CO (6-0); 2 nd /3 rd readings
C14-95-0159	TR1: SF-3 to LR-CO TR2: SF-3 to LI-CO	11/28/95: Approved LR-CO & LI-CO w/ conditions (8-0)	1/4/96: Approved LR-CO (TR1) & LI-CO (TR2), subject to conditions (5-0); all 3 readings
C14-95-0097	SF-3 to LI-CO	8/29/95: Approved GO-CO & LI-CO w/ conditions (5-0)	9/28/95: Approved GO-CO & LI- CO (5-0); all 3 readings

RELATED CASES: There are no pending related cases.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Brown Lane	60' - 65'	20' -22'	Collector	N/A	N/A	N/A

CITY COUNCIL DATE: September 27, 2007

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us

STAFF RECOMMENDATION

The staff's recommendation is to grant LI-CO, Limited Industrial-Conditional Overlay District, zoning. The proposed conditional overlay will limit the development intensity on the site to less than 2,000 vehicle trips per day and will establish a 25-foot vegetative buffer and a 100-foot building setback along the southern property line.

In addition, if the zoning is granted, then the staff recommends that 45 feet of right-of-way should be dedicated from the centerline of Brown Lane in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site.

BASIS FOR RECOMMENDATION

- 1. The proposed zoning should be consistent with the purpose statement of the district sought.*

The LI district designation is for a commercial service use or limited manufacturing use generally located on a moderately sized site.

The proposed site is 4 acres in size, which would be adequate for a Limited Industrial development.

- 2. The proposed zoning should promote consistency and orderly planning.*

LI-CO zoning would be appropriate for this location because the property is adjacent to LI zoning to the west and is surrounded by commercial and industrial uses to the north, east, and west.

- 4. The proposed zoning should allow for a reasonable use of the property.*

The LI-CO zoning district would allow for a fair and reasonable use of the site. The proposed rezoning would allow the applicant to develop a Construction Sales and Services use in an area that has been designated for commercial and industrial uses (Brown-Dungan Lane Area Study).

EXISTING CONDITIONS

Site Characteristics

The site under consideration is currently undeveloped. There are existing commercial and industrial uses located to the north (electric shop), east (warehouse/distribution) and west (outdoor storage of trucks and boats) of the site. The property directly to the south is developed with single family residential homes.

Impervious Cover

The maximum impervious cover allowed by the LI zoning district would be 80 %. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

The site is not located over the Edwards Aquifer Recharge Zone. The site is located over the division between the Little Walnut Creek and Walnut Creek Watersheds of the Colorado River Basin, which are classified as Urban and Suburban Watersheds, respectively, by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Urban Watershed Regulations

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 sq. ft. cumulative is exceeded, and detention for the two-year storm.

Suburban Watershed Regulations

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Environmental

According to flood plain maps, there is no flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

Urban Watershed Regulations

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

Suburban Watershed Regulations

Development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Transportation

If the requested zoning is recommended for this site, 45 feet of right-of-way should be dedicated from the centerline of Brown Lane in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

There are no existing sidewalks along either side of Brown Lane.

Capital Metro bus service is not available within 1/4 mile of this property.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
Brown Lane	60' - 65'	20' - 22'	Collector	N/A

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

Compatibility Standards

The site is subject to compatibility standards. Along the south and a portion of the east property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
 - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
 - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
 - No parking or driveways are allowed within 25 feet of the property line.
 - In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- Additional design regulations will be enforced at the time a site plan is submitted.

FYI - This site will be subject to Subchapter E, Design Standards and Mixed Use.

